



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2013 REGULAR SESSION

SENATE BILL NO. 97

AS ENACTED

MONDAY, MARCH 11, 2013

RECEIVED AND FILED
DATE March 18, 2013
2:47pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adles

1 AN ACT relating to compulsory attendance.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 → Section 1. KRS 159.010 is amended to read as follows:

4 (1) (a) Except as provided in KRS 159.030 and paragraph (b) and (c) of this
 5 subsection, each parent, guardian, or other person residing in the state and
 6 having in custody or charge any child who has entered the primary school
 7 program or any child between the ages of six (6) and sixteen (16) shall send
 8 the child to a regular public day school for the full term that the public school
 9 of the district in which the child resides is in session or to the public school
 10 that the board of education of the district makes provision for the child to
 11 attend. A child's age is between six (6) and sixteen (16) when the child has
 12 reached his or her sixth birthday and has not passed his or her sixteenth
 13 birthday.

14 (b) 1. Effective with the 2015-2016 school year, a local board of education
 15 may, upon the recommendation of the superintendent, adopt a district-
 16 wide policy to require, except as provided in KRS 159.030, each
 17 parent, guardian, or other person residing in the district and having in
 18 custody or charge any child who has entered the primary school
 19 program or any child between the ages six (6) and eighteen (18) to
 20 send the child to a regular public school for the full term of the district
 21 in which the child resides or to the public school that the district
 22 makes provisions for the child to attend.

23 2. All children residing in the district, except as provided in KRS
 24 159.030, shall be subject to the local board's compulsory age policy.

25 3. A district shall impose the same compulsory age requirement for all
 26 students residing in the district, even if the district has entered a
 27 contract to permit some students to attend school in another public

1 school district that has not adopted a policy under this paragraph.

2 4. A local board of education adopting a policy under this paragraph
 3 shall certify to the Kentucky Department of Education that the district
 4 has, or will have, programs in place to meet the needs of potential
 5 dropouts. Implementation of the policy shall be contingent on notice
 6 of approval by the department.

7 (c) When fifty-five percent (55%) of all local school districts have adopted a
 8 policy in accordance with paragraph (b) of this subsection, all local school
 9 districts shall be required to adopt the compulsory attendance requirements
 10 under paragraph (b) of this subsection. This requirement shall be effective
 11 with the school year that occurs four (4) years after the fifty-five percent
 12 (55%) threshold is met.

13 (2) An unmarried child between the ages of sixteen (16) and eighteen (18) who resides
 14 in a district that has not adopted a policy under subsection (1)(b) of this section
 15 who wishes to terminate his or her public or nonpublic education prior to
 16 graduating from high school shall do so only after a conference with the principal or
 17 his or her designee, and the principal shall request a conference with the parent,
 18 guardian, or other custodian. Written notification of withdrawal must be received
 19 from his parent, guardian, or other person residing in the state and having custody or
 20 charge of him. The~~[-parent(s)-and]~~ child and the parent, guardian, or other
 21 custodian shall be required to attend a one (1) hour counseling session with a
 22 school counselor on potential problems of nongraduates.

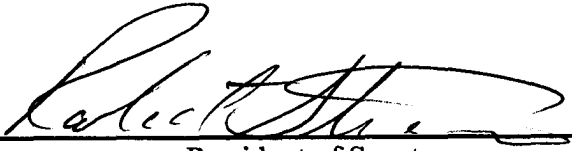
23 (3) A child's age is between sixteen (16) and eighteen (18) when the child has reached
 24 his sixteenth birthday and has not passed his eighteenth birthday. Written
 25 permission for withdrawal shall not be required after the child's eighteenth birthday.
 26 Every child who is a~~[-actually]~~ resident in this state is subject to the laws relating to
 27 compulsory attendance, including the compulsory attendance requirements of a

1 school district under subsection (1)(b)) of this section.~~[-and]~~ Neither the child~~[he]~~
 2 nor the person in charge of the child~~[him]~~ shall be excused from the operation of
 3 those laws or the penalties under them on the ground that the child's residence is
 4 seasonable or that his or her parent is a resident of another state.

5 (4) Each school district shall contact each student between the ages of sixteen (16) and
 6 eighteen (18) who has voluntarily withdrawn from school under subsection (2) of
 7 this section within three (3) months of the date of withdrawal to encourage the
 8 student to reenroll in a regular program, alternative program, or GED preparation
 9 program. In the event the student does not reenroll at that time, the school district
 10 shall make at least one (1) more attempt to reenroll the student before the beginning
 11 of the school year following the school year in which the student terminated his or
 12 her enrollment.

13 ➔Section 2. KRS 159.020 is amended to read as follows:

14 Any parent, guardian, or other person having in custody or charge any child who has
 15 entered the primary school program and is subject to compulsory attendance under
 16 Section 1 of this Act~~[or any child between the ages of six (6) and sixteen (16)]~~ who
 17 removes the child from a school district during the school term shall enroll the child in a
 18 regular public day school in the district to which the child is moved, and the child shall
 19 attend school in the district to which the child~~[he]~~ is moved for the full term provided by
 20 that district.



President of Senate



Speaker-House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 3-18-13